

MINUTES OF THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

ENOCH ADAMS, JR. et al. vs. TECK COMINCO ALASKA INC.
NANA REGIONAL CORP. INC.
NORTHWEST ARCTIC BOROUGH

BEFORE THE HONORABLE TIMOTHY M. BURGESS
CASE NO. 3:04-CV-00049-JWS

DEPUTY CLERK/RECORDER: CAROLINE EDMISTON

APPEARANCES: PLAINTIFF: LUKE W. COLE
NANCY S. WAINWRIGHT

DEFENDANT: SEAN HALLORAN, for Teck Cominco
JAMES E. TORGERSON, for Nana

PROCEEDINGS: SETTLEMENT CONFERENCE HELD 08/15/08:

At 5:20 p.m. court convened.

Court and counsel heard re settlement agreement.

Mr. Torgerson set out the terms of the settlement agreement.

The parties agree to seek leave to amend the complaint to add claims based on alleged violations for the time from July 1, 2007 thru May 13, 2008 and also a contingency re claims starting October 6, 2007 thru May 13, 2008.

The parties agree will make the necessary amendments to the settlement agreement and the consent decree re new claims.

The parties agree to file a joint motion seeking to have the motion to enforce settlement and all related documents sealed or struck, depending on the parties determination.

The parties agree the version of the consent decree filed with the motion to enforce settlement will be the consent decree, except as modified as previously mentioned.

The parties agree there are no other outstanding issues in this litigation, upon finalization of the consent decree, as set forth above, will be lodged with the court.

The parties agree, if necessary, will meet again with Judge Burgess during the week of September 3, 2008 to address issues unresolved. Court ordered parties to inform chambers or file a status report if needing to meet with chambers.

At 5:26 p.m. court adjourned.

DATE: August 15, 2008 DEPUTY CLERK'S INITIALS: CME
Revised 6/18/07